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Declaration and Resolves (1774)

First Continental Congress

By 1774, discontent with British policies toward the colonies was growing. After the Boston Tea Party of 1773, Parliament had passed a series of Coercive Acts to punish Boston and Massachusetts severely for the Patriots' action. Both the legislatures of Massachusetts and Virginia called for a general meeting of all 13 colonies to discuss the colonies' relations with Britain. In September 1774, the First Continental Congress was convened in Philadelphia with 12 of the colonies represented. One of its actions was passage of the "Declaration and Resolves," on October 14. The excerpts are from the *Journals of the Continental Congress*, edited by W.C. Ford. "Common law" (mentioned in Point 5) originated from decisions handed down by judges in court cases throughout England over centuries.

... That the inhabitants of the English Colonies in North America, by the immutable [unchanging] laws of nature, the principles of the English constitution, and the several charters or compacts, have the following Rights:

1. That they are entitled to life, liberty, and property, & they have never ceded [given away] to any sovereign power whatever, a right to dispose of either without their consent.
2. That our ancestors, who first settled these colonies, were . . . entitled to all the rights, liberties, and immunities of free and natural-born subjects within the realm of England.
3. That by such emigration they by no means forfeited, surrendered, or lost any of those rights, and their descendants now are entitled to the exercise and enjoyment of all such of them. . . .
4. That the foundation of English liberty, and of all free government, is a right in the people to participate in their legislative council: and as the English colonists are not represented, and

from their local and other circumstances, cannot properly be represented in the British parliament, they are entitled to a free and exclusive power of legislation in their several provincial legislatures, where their right of representation can alone be preserved, in all cases of taxation and internal polity [policy], subject only to the negative [veto] of their sovereign, . . .

5. That the respective colonies are entitled to the common law of England and more especially to . . . the privilege of being tried by their peers of the vicinage [neighborhood], according to the course of that law.
6. That they are entitled to the benefit of such English statutes [laws], as existed at the time of their colonization; . . .
7. That these, his majesty's colonies, are likewise entitled to all the immunities and privileges granted and confirmed to them by royal charters, or secured by their several codes of provincial laws.
8. That they have a right peaceably to assemble, consider . . . their grievances, and petition the King; and that all prosecutions, prohibitory proclamations, and commitments [imprisonment] for the same, are illegal.
9. That the keeping of a Standing army in these colonies, in times of peace, without the consent of the legislature of that colony in which such army is kept, is against [the] law.
10. It is . . . necessary to good government, and rendered essential by the English constitution, that the . . . branches of the legislature be independent of each other; that, therefore, the exercise of legislative power in several colonies, by a council appointed . . . by the crown, is unconstitutional, dangerous, and destructive to the freedom of American legislation.

Review Questions

1. Why did Parliament pass the Coercive Acts?
2. Why did the authors of the Declaration and Resolves consistently discuss "the rights of Englishmen" instead of "the rights of American colonists"?

3. Name and explain the Continental Congress.
4. In what ways does the 1774 Coercive Acts still not please the British?
5. Which freedoms mentioned in the Declaration of Independence did the British violate?
6. What suggestions would you make to the British regarding the passage of the Coercive Acts?

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3. Name and explain *three* rights to which the members of the First Continental Congress claimed that they were entitled?
4. *In what ways does the Declaration and Resolves prove that the colonists in 1774 were still not planning to declare independence?*
5. *Which freedoms mentioned in the English Bill of Rights (on pages 29–30) did the British violate in the 1770s?*
6. *What suggestions would you have made to the British Parliament after the passage of the Coercive Acts to mend the ill feelings between the colonists and the British?*